

Township Of Chatham    Zoning Board of Adjustment  
Work Meeting                      November 19, 2015

Mr. Vivona called the Meeting to Order at 7:30 P.M with the reading of the Open Public Meetings Act.

**Roll Call:** Mr. Vivona, Mrs. Kenny, Mr. Weston, Mr. Styple, Mr. Borsinger, Mr. Hyland, Alt. 2

**Absent:** Mr. William, Mrs. Romano

**Professionals Present:** Steven Shaw, Attorney  
John Ruschke, Engineer  
Robert Michaels, Planner

**Minutes:** September 17<sup>th</sup> & October 14<sup>th</sup>, 2015  
October 29, 2015 Transcript – AT&T 300 Shunpike Road

A motion was made by Mr.Borsinger accepting the minutes of September 17<sup>th</sup> and October 14<sup>th</sup> 2015 as submitted, seconded by Mr. Weston All in favor

A motion to was made by Mr. Weston to accept the ATT transcript of October 29<sup>th</sup> as submitted,  
seconded by Mr. Borsinger All in favor

### Memorialization:

**Mr. & Mrs. Lima**  
12 Mitchel Avenue  
Block: 109 Lot: 27.

**Calendar BOA 15-109-27**

A motion was made by Mr. Hyland to adopt the Resolution as submitted, seconded by Mr. Style  
Roll Call: Mrs. Kenny, Mr. Style, Mr. Weston, Mr. Borsinger. Mr. Hyland All in Favor  
Mr. Vivona was recused.

**Greg Dunn,**  
206 Lafayette Avenue  
Block: 85 Lot: 28.

**Calendar BOA 15-85-28**

A motion was made by Mr. Hyland to adopt the Resolution as submitted, seconded by Mr. Borsinger  
Roll Call: Mr. Vivona, Mrs. Kenny, Mr. Styple, Mr. Weston, Mr. Borsinger. Mr. Hyland All in Favor

**Mr. Hoe Jung**  
Country Club Road,  
Block: 102.03 Lot: 1.

**Calendar BOA 15-102.03-1 2**

A motion was made by Mr. Hyland to adopt the Resolution as submitted, seconded by Mr. Weston  
Roll Call: Mr. Vivona, Mrs. Kenny, Mr. Styple, Mr. Weston, Mr. Borsinger. Mr. Hyland All in Favor

**Mr. & Mrs. Black****Calendar BOA 15-48.04-16**

52 Thornley Drive

Block: 48.04 Lot: 16.

A motion was made by Mrs. Kenny to adopt the Resolution as submitted, seconded by Mr. Weston

Roll Call: Mr. Vivona, Mrs. Kenny, Mr. Style, Mr. Weston, Mr. Borsinger. Mr. Hyland All in Favor

**New Cingular Wire;Ess Pcs****Calendar BOA 15-95-18.019****(At&T) & T-Mobile Northeast, Llc****T-Mobile)**

300 Shunpike Road

Block 95 Lot 18.01.

A motion was made by Mr. Weston to adopt the Resolution as submitted (2015), seconded by Mrs. Kenny

Roll Call: Mr. Vivona, Mrs. Kenny, Mr. Style, Mr. Weston, Mr. Borsinger. Mr. Hyland All in Favor  
Mrs. Romano was recused.

**Durso Construction Mgmt.****Calendar BOA-83-18**

246 Lafayette Avenue

Block 83, Lot 18.

A motion was made by Mr. Hyland to adopt the Resolution as submitted, seconded by Mr. Borsinger

Roll Call: Mr. Vivona, Mr. Style, Mr. Weston, Mr. Borsinger. Mr. Hyland - All in Favor

Mrs. Kenny - was not clear if she abstained???

**Hearings:****Mr. Robert Lyon****Calendar Boa 15-54-13**

20 Chestnut Road

Block: 54 Lot: 13. Rear yard variance to construct a deck to an existing not conforming.

Mr. Vivona explained to the applicant that this would just be a brief overview of what is proposed. There will be a site visit on September 12<sup>th</sup> at 9 a.m. The application will be heard in its entirety at the next schedule meeting.

Mr. Robert Lyon, applicant – sworn. He said they wanted to add a deck to the back of the house. The required setback is 50 ft. Our lot has a pre-existing rear lot line of 44 ft. and with the proposed structure there would be only 34 ft.

Mr. Vivona noted that the lot is wide but short which indicates the hardship. He asked Mr. Lyon's if there were trees behind his home. He asked if the surrounding homes were pretty far off of the property line.

Mr. Lyon thought they were all about 50 ft. of so. A new house that was just built on Mt. View (previous home – small ranch – was demolished and larger one built and may sit a little closer.

Mr. Lyon said that there were several trees across the back on his and properties behind him.

Mr. Vivona asked if variances were needed for the sides as well. Mr. Lyon said the 6ft.wide deck on the side is existing and is just being extended toward the back of the house.

Mr. Vivona asked Mr. Lyon to check out the side yard and mark out the property line to assure them that no additional variances would be needed.

Mr. Vivona asked for questions/comments from the Board/Public.

Mr. Karker from 25 Mountain View Rd, THT LLC questioned the location of the property. The properties look at each other and he was concerned with privacy with the back yard space. He was concerned with visibility into the home.

Mr. Hyland asked if anything could be done with possibly more trees.

Mr. Karker said there were a couple of trees but in the winter he thought they may not be adequate.

Mr. Hyland – so the property is not directly behind you but is kitty cornered so it would not be in the direct line of site on that building. He referred to the survey showing it as lot 3 and kitty cornered.

Mr. Vivona asked if Mr. Karker's house was complete yet and what, if any landscaping was proposed.

Mr. Karker said it was complete. When asked if the deck were lowered a bit if that would solve the problem, Mr. Karker said he didn't think so.

Mrs. Kenny said when the site visit was made they would better understand the situation.

Mr. Vivona also stated that they would review the situation at the site visit. When we do the site visit we can determine what can be done. Quite often we request screening to keep all the neighbors happy and for privacy as well.

Mr. Melnick, 16 Meyersville Rd. – said Mr. Lyon has been doing some magnificent work in upgrading the property and it is an asset to the neighborhood and the proposed deck just makes the house nicer.

Mrs. Kenny said they will review what is proposed and will come up with something that will make everyone feel better. We try to consider all the neighbors whenever possible. In this case it is a hardship.

**Mr. & Mrs. Gilligan**  
4 Whitman Drive  
Block: 74 Lot: 30.

**Calendar A BOA 15-74-30**

Mr. Vivona recused himself as the applicant is a friend. Mr. Weston took over.

Site Visit Report read into the record by Mr. Borsinger.

Mr. Siegel, Architect, gave a brief review of the proposed application. The addition would go straight up which is involving the existing non-conforming side yard setback requiring side yard relief. What is proposed would be an improvement and have no impact on the neighbors.

Mrs. Kenny had a question – why not go across the back of the house.

Mr. Shaw said he couldn't as it would interfere with the location of one of the bathrooms.

Mr. Siegel said if he pulled this whole structure over then we would end up blocking the light into a window.

Mrs. Kenny asked if there was a variance needed for the encroachment of the patio?

Mr. Siegel it was already in place.

Mr. Shaw noted that it would be a pre-existing condition. To be safe we could add that as an additional variance.

Discussion held regarding patio.

Mr. Weston asked if there were any further questions/comments.

Mr. Shaw thought there should be a motion to approve the application as submitted with the additional variance for the existing patio.

Mr. Hyland made the motion to approve with additional variance being added, seconded by Mr. Weston  
Roll Call: Mrs. Kenny, Mr. Weston, Mr. Style, Mr. Borsinger, Mr. Hyland All in favor

Meeting Adjourned

Respectfully submitted:



Mary Ann Fasano  
Transcribing Secretary